

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

DO NOT WRITE IN THIS SPACE

Case  
05-CB-141881Date Filed  
12/01/2014

INSTRUCTIONS. File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name International Union Security Police Fire Professionals of America (SPFPA) International Union SPFPA Local 451	b. Union Representative to contact (b) (6), (b) (7)(C)
c. Address (Street, city, state, and ZIP code) 50 Sinton Road Newport News, VA 23601	d. Tel No. 757- e. Cell No. f. Fax No. g. e-Mail

h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b)(1)(A) subsection(s) (list subsections) Section 8(b)(1)(A) under the provision of Section 9 of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

## 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

International Union SPFPA Local 451 (b) (6), (b) (7)(C) failed to represent me by not filing a grievance in a timely manner when I was terminated by Huntington Ingalls Industries. I was terminated for falsifying documents regarding an off the job hit and run that I was falsely accused of and was later determined by Nationwide Insurance that I had no part in and my vehicle could not have cause damage to the other vehicle. My (b) (6), (b) (7)(C) did not file a grievance when my employment was terminated after (b) (6) years. (b) (6) simply stated that (b) (6) forget to file my grievance.

3. Name of Employer Huntington Ingalls Industries	4a. Tel. No. 757-380-2000 c. Fax No.	b. Cell No. d. e-Mail
5. Location of plant involved (street, city, state and ZIP code) 4101 Washington Avenue, Newport News, VA 23607	6. Employer representative to contact Herman Jackson	
7. Type of establishment (factory, mine, wholesaler, etc.) Designs, builds and manages nuclear powered ships	8. Identify principal product or service Shipbuilding	9. Number of workers employed 39,000
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No. (b) (6), (b) (7)(C) c. Fax No.	b. Cell No. (b) (6), (b) (7)(C) d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state and ZIP code.) (b) (6), (b) (7)(C)		

## 12. DECLARATION

I declare (b) (6), (b) (7)(C) statements therein are true to the best of my knowledge and belief.  
By (b) (6), (b) (7)(C) charge (Print/type name and title or office, if any)  
(b) (6), (b) (7)(C)  
Address (date) 11/14/14

Tel. No. (b) (6), (b) (7)(C)
Cell No. (b) (6), (b) (7)(C)
Fax No.
e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

January 23, 2015

(b) (6), (b) (7)(C)

Re: International Union Security Police Fire  
Professionals of America (SPFPA)  
International Union SPFPA Local 451  
(Huntington Ingalls Industries)  
Case 05-CB-141881

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Union Security Police Fire Professionals of America (SPFPA) International Union SPFPA Local 451 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

Your charge alleges your (b) (6), (b) (7)(C) violated the Act by forgetting to file a grievance regarding your Employer, Huntington Ingalls Industries, discharging you. The investigation revealed that you were terminated because the Employer received contradicting accounts of the facts and circumstances surrounding an automobile accident. The investigation further revealed that the Union failed to file a timely grievance on your behalf. Although a Union has an obligation under the National Labor Relations Act to represent the employees in the bargaining unit fairly, impartially, and in good faith, "[a] wide range of reasonableness must be allowed a statutory bargaining representative in serving the unit it represents, subject always to complete good faith and honesty of purpose in the exercise of its discretion," *Ford Motor Co. v. Huffman*, 345 U.S. 330, 338 (1953); *Vaca v. Sipes*, 386 U.S. 171 (1967). Mere negligent handling of a grievance is insufficient to demonstrate a violation of the Act. In these circumstances, there is insufficient evidence to establish the Union's conduct was motivated by arbitrary, invidious, or irrelevant considerations. Rather, the evidence indicates that the Union negligently failed to timely file a grievance. Therefore, there is insufficient evidence to establish the Union's conduct violated the Act. Accordingly, I am refusing to issue a complaint in this matter.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14<sup>th</sup> Street, N.W., Washington D.C. 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **February 6, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than February 5, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before February 6, 2015**. The request may be filed electronically through the **E-File Documents** link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202) 273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after February 6, 2015, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required

International Union Security Police Fire  
Professionals of America (SPFPA)  
International Union SPFPA Local 451  
(Huntington Ingalls Industries)  
Case 05-CB-141881

- 3 -

January 23, 2015

by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure: Appeal form

cc: (b) (6), (b) (7)(C)  
International Union Security Police Fire  
Professionals of America (SPFPS)  
International Union SPFPA 451  
50 Sinton Road  
Newport News, VA 23601-2037

James M. Moore, Esq.  
Gregory Moore Jeakle and Brooks, PC  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2893

Mr. Jackson Herman  
Supervisor of Employee Relations  
Huntington Ingalls Industries  
4101 Washington Avenue  
Newport News, VA 23607



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
Room 8820, 1099 - 14th Street, N.W.  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

FORM NLRB-508

FORM EXEMPT UNDER 44 U.S.C. 3512

(11-10)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case 05-CB-143129	Date Filed 12/17/2014

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

<b>1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT</b>			
a. Name The International Union, Security, Police and Fire Professionals of America (SPFPA), Local 287		b. Union Representative to contact (b) (6), (b) (7)(C)	
c. Address (street, city, state and ZIP code) 25510 Kelly Rd, Roseville, MI 48066		d. Tel. No. (586) 772-7250	e. Cell No.
		f. Fax No.	g. e-Mail
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) <u>(1)(A)</u> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) (b) (6), (b) (7)(C) Since on or about [redacted] 2014, and at all times thereafter, the above-named Labor Organization, by its officers, agents and representatives, has restrained and coerced the employees of Coastal International Security, Inc., in the exercise of the rights guaranteed by Section 7 of the Act, by failing to represent employee (b) (6), (b) (7)(C), by dropping [redacted] grievance concerning [redacted] termination and not taking it to arbitration.			
3. Name of Employer Coastal International Security, Inc.		4a. Tel. No.	b. Cell No.
		c. Fax No.	d. e-Mail
5. Location of plant involved (street, city, state and ZIP code) 6101 Fallard Drive, Upper Marlboro, MD 20770		6. Employer representative to contact Gail Heath, Human Resources Representative	
7. Type of establishment (factory, mine, wholesaler, etc.) Contractor	8. Identify principal product or service Security Services	9. Number of workers employed 300+	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11 a. Tel. No. (b) (6), (b) (7)(C)	b. Cell No.
11. Address of party filing charge (street, city, state and ZIP code) (b) (6), (b) (7)(C)		c. Fax No.	d. e-Mail (b) (6), (b) (7)(C)
<b>12. DECLARATION</b> I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. (b) (6), (b) (7)(C) B (signature of representative or person making charge) Sharonda McClurkin Individual (title or office, if any) (b) (6), (b) (7)(C) 12/16/2014 Date		Tel. No. (b) (6), (b) (7)(C) Cell No. Fax No. e-Mail (b) (6), (b) (7)(C)	
Address			

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. §151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

10: (b) (6), (b) (7)(C) BOOD 12/8/2014 CHG-05-CB-XXXXXX-SPFPA LOCAL 287 COASTAL (b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

February 19, 2015

Matthew Clark, Esq.  
Gregory, Moore, Jeakle and Brooks, PC  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2822

Re: The International Union, Security, Police  
and Fire Professionals of America  
(SPFPA), Local 287 (Coastal International  
Security, Inc.  
Case 05-CB-143129

Dear Mr. Clark:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: (b) (6), (b) (7)(C)  
The International Union, Security, Police  
and Fire Professionals of America  
(SPFPA), Local 287  
25510 Kelly Road  
Roseville, MI 48066-4932

Ms. Gail Heath  
Human Resources Representative  
Coastal International Security  
6101 Fallard Drive  
CIS - Human Resources  
Upper Marlboro, MD 20772

(b) (6), (b) (7)(C)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

DO NOT WRITE IN THIS SPACE	
Case 05-CB-144152	Date Filed 01/07/2015

INSTRUCTIONS File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring

1 LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a Name <b>INTERNATIONAL UNION SECURITY POLICE AND FIRE PROFESSIONALS OF AMERICA</b>		b Union Representative to contact <b>(b) (6), (b) (7)(C) LOCAL 449</b>	
c Address (Street, city, state, and ZIP code) <b>25510 KELLY ROAD ROSEVILLE, MICHIGAN 48066</b>		d Tel. No <b>586-772-7250</b> e Cell No <b>(b) (6), (b) (7)(C)</b> f Fax No <b>321-305-5688</b> <b>(b) (6), (b) (7)(C)</b>	
h The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) <b>1, 2, 3, 4, 5, 6, 7 *</b> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act <b>* AND ANY OTHERS THAT APPLY.</b>			
2 Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) <b>SEE ATTACHED COMPLAINT</b>			
3 Name of Employer <b>FJC SECURITY SERVICES FEDERAL DIVISION</b>		4a Tel. No. <b>513-328-6000</b>	b Cell No. <b>304-262-9010</b>
		c Fax No. <b>304-262-9011</b>	d e-Mail <b>WALKIRE@ FJCSECURITY.COM</b>
5. Location of plant involved (street, city, state and ZIP code) <b>IRS-ECC 250 MURALL DRIVE KEARNEYVILLE, WV 25430</b>		6 Employer representative to contact <b>SCOTT ALKIRE</b>	
7 Type of establishment (factory, mine, wholesaler, etc.) <b>IRS - FEDERAL BUILDING</b>	8 Identify principal product or service <b>SECURITY SERVICE</b>	9. Number of workers employed <b>58 +</b>	
10 Full name of each filer (show) <b>(b) (6), (b) (7)(C)</b>		11a Tel. No. <b>(b) (6), (b) (7)(C)</b>	
		b Cell No. <b>(b) (6), (b) (7)(C)</b>	
		c Fax No. <b>(b) (6), (b) (7)(C)</b>	
12 Address of each filer (show) <b>(b) (6), (b) (7)(C)</b>			
13 DECLARATION (signature of representative or person making charge) <b>(b) (6), (b) (7)(C)</b>		14 Title or office, if any <b>(b) (6), (b) (7)(C)</b>	
Address <b>(b) (6), (b) (7)(C)</b>		(date) <b>01-05-15</b> <b>(b) (6), (b) (7)(C)</b>	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

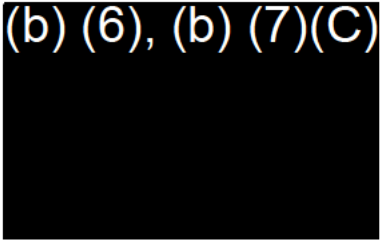
PRIVACY ACT STATEMENT

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Date: 1 January 2015

To: National Labor Relations Board  
Bank of America Center, Tower II  
100 South Charles Street, 6<sup>th</sup> Floor  
Baltimore, Maryland 21201

From: (b) (6), (b) (7)(C)

A large black rectangular redaction box covers the area below the 'From:' field.

RE: Complaint regarding International Union, Security, Police and Fire  
Professionals of America (SPFPA) Local 449 and FJC Security Services

Dear NLRB;

Please find enclosed a complaint. This is the result of what I believe to be an illegal job action by both the Union and FJC Security Services on a Federal Contract under the supervision of Federal Protective Services, Department of Homeland Security.

**IMMEDIATE ACTION IS REQUESTED:**

I request that the NLRB immediately seek a 10(j) injunction or issue to the Union and FJC Security an order to immediately cease the bidding of Posts, and that no incumbent employees can be removed from a bid out Post under this contract, or if employees have already been removed - return them to a Post of their choice, until an investigation can be conducted and all issues of Seniority; including based on the membership vote, whether Posts should be bid "Site Specific" or "Contract Wide, and if the Company and Union has exceeded its authority under the CBA to bid out previously assigned and currently occupied individual Posts.

I also request an investigation into the violation of equal and protected rights of the employees by the Company and the Union based on the issues raised below and any other issues or violations the NLRB might encounter as a result of the investigation.



- At issue are denial of Membership in the Bargaining Unit and violation of equal rights.
- The Union and Company from 15 July 2014 to 30 October 2014 failed to properly designate which employees are in a covered or uncovered position for Seniority purposes resulting in a loss of pay and years of lost Seniority for certain Officers.
- The Company provided misinformation for months, as who was covered by the Union and which Officers / Supervisors were in non-Union Supervisor / Management positions.
- The Union and Company misclassified employees as "Supervisor / Management" when their duties do not rise the NLRB definition criteria.
- The Company and Union allowed acting Supervisors to exceed their authority under the NLRB definition of a Supervisor, but yet remain in a Union covered position.
- The Union and Company improperly conspired to demote and reduce the pay of the Supervisors to keep them in the Union so they can pay Union dues.
- The Company and Union allowed Posts to be filled by directed assignment (contrary to Section 12.3 of the CBA) without objection until December 2014 and then decided to retroactively bid out only certain Posts that were already occupied, without bidding out ALL Posts filled since the CBA went into effect on 15 July 2014.
- The Company and Union have exceeded their authority under Section 12.3 of the CBA by bidding out "occupied" Posts when the CBA restricts the bidding to "vacant" Posts.
- The Company and Union have allowed certain Officers and Posts to be filled by Directed Assignment while arbitrarily requiring the removal of certain Officers (former Supervisors) and bidding of their Posts in retaliation for either Union or Management activities and duties or both.
- The Company and Union have refused to abide by Section 12.7 of the CBA by changing my Seniority date, which I consider to be an illegal adverse action. This action, under Section 1.3 of the CBA changed my classification as an employee with 5 years of service and Union protection, to that of an "at will probationary employee" without Union protection.

- The above action and conflicting language in the CBA was grieved through the Union (Grievance # (b) (6), (b) (7)(C) ). The Company granted my requested relief, but the Union has refused to implement the requested relief. The grievance procedure as a result was circumvented and “hijacked” by the International without recourse or due process.
- The Union has not conducted fair voting when it comes to modifying the CBA, and has released conflicting results of the membership vote regarding the procedure of bidding on posts.
- The Union has failed to properly distribute finalized amendments to the CBA, designate Shop Stewards at all sites, conduct regular meetings, and properly give notice of meetings and changes within the Union to all members.
- The Company and Union have failed to properly Post NLRB employee rights, FLSA rights, and Union notices, bid information etc., at a location accessible to all covered employees.

What I am asking, is for the NLRB to conduct an investigation into the allegations, and if these job actions are illegal or improper, to make the employees whole in every way.

I cannot describe the working conditions under this contract any better than the citation below:

29 U.S.C. 401 Section 2 (b)

*The Congress further finds, from recent investigations in the labor and management fields, that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employees, and other failures to observe high standards of responsibility and ethical conduct which require further and supplementary legislation that will afford necessary protection of the rights and interests of employees and the public generally as they relate to the activities of labor organizations, employers, labor relations consultants, and their officers and representatives.*

I appreciate your consideration of this matter.

Sincerely,

(b) (6), (b) (7)(C)

CONTACT INFORMATION

Complainant:

(b) (6), (b) (7)(C)

Union: International Union, Security, Police and Fire Professionals of America  
(SPFPA) Local 449  
25510 Kelly Road  
Roseville, Michigan 48066  
586-772-7250  
800-228-7492

Contractor  
Company: FJC Security Services Inc.  
275 Jericho Turnpike  
Floral Park, New York 11001  
513-328-6000  
  
Regional Office  
5550 Winchester Avenue, Suite 8  
Martinsburg, West Virginia 25404  
304-262-9010

Contract: HSHQE3-13-D-00001  
Department of Homeland Security  
Federal Protective Services

Work Site: Internal Revenue Service  
Enterprise Computing Center  
250 Murall Drive  
Kearneysville, West Virginia 25430  
304-264-7144



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

March 30, 2015

Gordon Gregory, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2822

Re: International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
Local 449 and (FJC Security Services  
Federal Division)  
Case 05-CB-144152

Dear Mr. Gregory:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: (b) (6), (b) (7)(C)  
International Union Security Police and  
Fire Professionals of America Local 2012  
25510 Kelly Road  
Roseville, MI 48066

Clifford Ingber, Esq.  
Ingber Law Firm, PLLC  
6 Stallion Trail  
Greenwich, CT 06831-3040

(b) (6), (b) (7)(C)

Mr. Scott Alkire  
FJC Security Services Federal  
Division, IRS-ECC  
250 Murall Drive  
Keameysville, WV 25430-5200

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		DO NOT WRITE IN THIS SPACE	
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		Case 05-CB-144253	Date filed 01/12/2015
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name  International Union, Security, Police and Fire Professionals of America		b. Union Representative to Contact (b) (6), (b) (7)(C)	
c. Address 71 East Cherry Street Rahway, NJ 07065		d. Tel. No. (b) (6), (b) (7)(C)	e. Cell No.
		f. Fax No.	g. e-Mail
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
Since about (b) (6), (b) (7)(C) 2014, the above-named labor organization has restrained and coerced employees by refusing to process the grievance of (b) (6), (b) (7)(C), regarding (b) (6), discharge, for arbitrary or discriminatory reasons or in bad faith.			
3. Name of Employer Paragon Systems, Inc.		4a. Tel. No. (571) 321-0927	4b. Cell No.
		4c. Fax No.	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code) St. Elizabeth DHS Complex 2701 Martin Luther King Avenue SE Washington, DC 20032		6. Employer representative to contact Laura Hagan	
7. Type of Establishment (factory, mine, wholesaler) Contracted security services	8. Principal product or service Security and protective services	9. Number of Workers employed About 200	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No.
		11c. Fax No.	11d e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
(b) (6), (b) (7)(C)		(b) (6), (b) (7)(C) an individual	Tel No. (b) (6), (b) (7)(C)
(signature of representative or person making charge)		Print/type name and title or office, if any)	Cell No.
Address: (b) (6), (b) (7)(C)		Date:	Fax No.
			e-Mail (b) (6), (b) (7)(C)

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq*. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

March 13, 2015

(b) (6), (b) (7)(C)

Re: International Union, Security, Police and  
Fire Professionals of America (Paragon  
Systems, Inc.)  
Case 05-CB-144253

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Union, Security, Police and Fire Professionals of America has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlrb.gov](http://www.nlrb.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14<sup>th</sup> Street, N.W., Washington D.C. 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **March 27, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than March 26, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before March 27, 2015**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202) 273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after March 27, 2015, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure: Appeal form

cc: (b) (6), (b) (7)(C)  
International Union, Security, Police and  
Fire Professionals of America  
71 East Cherry Street  
Rahway, NJ 07065

Laura M. Hagen, Esq.  
Paragon Systems, Inc.  
13655 Dulles Technology Drive  
Suite 100  
Herndon, VA 20171-4634

Gordon A. Gregory, Esq.  
Michael J. Akins, Esq.  
Gregory Moore Jeakle and Brooks PC  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
Room 8820, 1099 - 14th Street, N.W.  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD		Case	Date filed
<b>CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS</b>		05-CB-144272	01/12/2015
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security, Police, Fire Professionals of America (SPFPA), Local 355		b. Union Representative to Contact Gloria Scott	
c. Address 25510 Kelly Rd. Roseville, MI 48066-4994		d. Tel. No. 586-772-7250	e. Cell No.
		f. Fax No. 586-772-9644	g. e-Mail
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since on or about the past six months, the above named labor organization has restrained and coerced employees by negotiating and entering into a collective-bargaining agreement with the Employer without allowing employees to vote on or give input on the terms of the agreement.			
3. Name of Employer Paragon Systems, Inc.		4a. Tel. No. 703-263-7176	4b. Cell No.
		4c. Fax No. 703-263-9527	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code) 14160 Newbrook Dr., Ste 210 Chantilly, VA 20151		6. Employer representative to contact Leslie Kaciban, Jr.	
7. Type of Establishment (factory, mine, wholesaler) Government contractor	8. Principal product or service Security guard services	9. Number of Workers employed 17	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No.	11b. Cell No. (b) (6), (b) (7)(C)
		11c. Fax No.	11d. e-Mail
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
(b) (6), (b) (7)(C)		Tel. No.	
An Individual		Cell No. (b) (6), (b) (7)(C)	
Signature of representative of person making charge Michael McMorris		Print/type name and title or office, if any	
Address: (b) (6), (b) (7)(C)		Date:	Fax No.
			e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

January 28, 2015

Ms. Gloria Scott  
International Union, Security, Police,  
Fire Professionals of America (SPFPA)  
Local 355  
25510 Kelly Road  
Roseville, MI 48066-4994

Re: International Union, Security, Police, Fire  
Professionals of America (SPFPA), Local  
355 (Paragon Systems, Inc.)  
Case 05-CB-144272

Dear Ms. Scott:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: (b) (6), (b) (7)(C)

Mr. Leslie Kaciban, Jr.  
Paragon Systems, Inc.  
14160 Newbrook Drive, Suite 210  
Chantilly, VA 20151-2298



UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD		Case	Date filed
<b>CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS</b>		05-CB-144836	01/21/2015
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security, Police and Fire Professionals of America (SPFPA) and its Local 287		b. Union Representative to Contact (b) (6), (b) (7)(C)	
c. Address  25510 Kelly Road Roseville, MI 48066		d. Tel. No. (586)772-7250	e. Cell No. (b) (6), (b) (7)(C)
		f. Fax No. (586)772-9644	g. e-Mail (b) (6), (b) (7)(C)
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Since about (b) (6), (b) (7)(C) 2015, and at all times thereafter, the above-named Labor Organization, by its officers, agents and representatives, restrained and coerced the employees of Coastal International Security, Inc. in the exercise of the rights guaranteed in Section 7 of the Act, by refusing to continue processing the grievance of (b) (6), (b) (7)(C) regarding (b) (6) one-day suspension for arbitrary or discriminatory reasons or in bad faith.</p>			
3. Name of Employer Coastal International Security, Inc		4a. Tel. No. (703)339-0233	4b. Cell No. (202)482-6054
		4c. Fax No. (703)339-7951	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code) 6101 Fallard Drive, Upper Marlboro, MD 20772-3878		6. Employer representative to contact Steven Butler, Program Manager	
7. Type of Establishment (factory, mine, wholesaler) Government contractor	8. Principal product or service Security services		9. Number of Workers employed 90
10. Full name of party filing charge (b) (6), (b) (7)(C) An Individual	11a. Tel. No.	11b. Cell No. (b) (6), (b) (7)(C)	
	11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)	
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
By: (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) An Individual		Tel. No.
(signature of charging party)	Print/type name and title or office, if any		Cell No. (b) (6), (b) (7)(C)
Address: (b) (6), (b) (7)(C)	Date: 1-16-2015	Fax No.	
		e-Mail (b) (6), (b) (7)(C)	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

Region 5  
Bank of America Center, Tower II  
100 S. Charles Street, Suite 600  
Baltimore, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

April 10, 2015

(b) (6), (b) (7)(C)

International Union, Security, Police  
and Fire Professionals of America  
(SPFPA) and its Local 287  
25510 Kelly Road  
Roseville, MI 48066

Re: International Union, Security, Police and  
Fire Professionals of America  
Case 05-CB-144836

Dear (b) (6), (b) (7)(C):

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: (b) (6), (b) (7)(C)

Mr. Steven Butler  
Coastal International Security, Inc.  
6101 Fallard Drive  
Upper Marlboro, MD 20771

INTERNET  
FORM NLRB-509  
(2-08)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

FORM EXEMPT UNDER 44 U.S.C. 3517

DO NOT WRITE IN THIS SPACE

Case 05-CE-145352 Date Filed 01/28/2015

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name LOCAL 555/SPFFA  
IBEW UNION HALL

b. Union Representative to contact Miss. Gloria Scott  
(BOARD CHAIR & President)

c. Address (Street, city, state, and ZIP code) 2701 PATAPSCO AVENUE  
BALTIMORE, MARYLAND 21230

d. Tel. No. 410-646-3120 e. Cell No. 443-827-6873

f. Fax No. 410-646-5033 g. e-Mail gscott108@outlook.com

h. The above-named organization(s) or its agent(s) has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) 8(b)1-A of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. Breach of Contract / Failure to Represent

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  
VIOLATION OF the predecessor Collective Bargaining Agreement between the UNITED UNION OF SECURITY GUARDS, Local 555-SPFFA AND SEA MAIN-NOB-Security West Woodhawn, Md. 21207 April 1st 2014 to March 31, 2017. The membership charges Local 555/SPFFA with the deliberate Failure to ENFORCE the Membership rights under the Service Worker Contract and the failure to take appropriate actions from February 2014 to present constitutes failure to represent its membership under the existing contract. Relations Article 16 section 16.2 Article C, Section 16.3, 16.5 and section 16.6 SPFFA/Local 555 Constitution & By-Laws Articles 19 Section 1, 2 A AND C and Art. 26 Section 2.

3. Name of Employer MRM Security Servs

4a. Tel No 410-965-1475 b. Cell No. 410-966-0388

c. Fax No. d. e-Mail mchak@mmwinc.com

5. Location of plant involved (street, city, state and ZIP code) 6401 Security Blvd.  
BALTIMORE, MARYLAND 21207

6. Employer representative to contact MR. Michael Elliott

7. Type of establishment (factory, mine, wholesaler, etc.) Security Firm (at Security Servs)

8. Identify principal product or service Security Servs

9. Number of workers employed 475

10. (b) (6), (b) (7)(C)

11a. Tel No (b) (6), (b) (7)(C) b. Cell No (b) (6), (b) (7)(C)

c. Fax No. (b) (6), (b) (7)(C) d. e-Mail (b) (6), (b) (7)(C)

11. Address of party filing charge (street, city, state and ZIP code.)

(b) (6), (b) (7)(C)

12. DECLARATION  
I declare that the statements made herein are true to the best of my knowledge and belief.  
By (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)  
(pri making charge) (print name and title or office, if any)

Address (b) (6), (b) (7)(C) (e) 1/28/15 (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Selection of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

Region 5  
Bank of America Center, Tower II  
100 S. Charles Street, Suite 600  
Baltimore, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

May 20, 2015

Matthew J. Clark, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2822

Re: International Union, Security, Police and  
Fire Professionals of America (SPFPA),  
Local 555 (MVM Security Services)  
Case 05-CB-145352

Dear Mr. Clark:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: Ms. Gloria Scott, President  
United Union of Security Guards,  
Local 555, SPFPA  
2701 West Patapsco Avenue  
Baltimore, MD 21230

Mr. Michael Elliott  
Director of Human Resources  
MVM Security Services  
6401 Security Boulevard  
Baltimore, MD 21207

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case 5-CB-146492	Date Filed 2/11/15

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security Police, Fire Professionals of America (SPFPA Local 287)		b. Union Representative to contact Mark Crawford, Vice President	
c. Address (Street, city, state, and ZIP code) 25510 Kelly Dr Rosedale, MI 28066		d. Tel. No. Ext. 119 586 772-250	e. Cell No.
		f. Fax No.	g. e-Mail
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) <u>A.</u> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) 1. Breach of Fair Representation 2. Allowing Coastal International Security & its Agents to violate Weingarten rights on October 8, 2014.			
3. Name of Employer Coastal International Security, Inc.		4a. Tel. No. 703 339 0233	b. Cell No.
		c. Fax No.	d. e-Mail
5. Location of plant involved (street, city, state and ZIP code) Washington, DC		6. Employer representative to contact Henry Wolfe	
7. Type of establishment (factory, mine, wholesaler, etc.) Security	8. Identify principal product or service Security Service	9. Number of workers employed 56	
10. Full name of party filing charge (b) (6), (b) (7)(C)		(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state and ZIP code) (b) (6), (b) (7)(C)		c. Fax No.	d. e-Mail (b) (6), (b) (7)(C)
12. DECLARATION I declare (b) (6), (b) (7)(C) statements therein are true to the best of my knowledge and belief. By (b) (6), (b) (7)(C) An Individual (Signature) (charge) (title or office, if any)		(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) Fax No. e-Mail	
Address (b) (6), (b) (7)(C) (date) 1/26/15			

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

June 22, 2015

(b) (6), (b) (7)(C)

Re: International Union, Security, Police, Fire  
Professionals of America (SPFPA Local  
287) (Coastal International Security, Inc.)  
Case 05-CB-146492

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Union, Security, Police and Fire Professionals of America (SPFPA Local 287) has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlrb.gov](http://www.nlrb.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14th Street NW, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **July 6, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than July 5, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

June 22, 2015

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before July 6, 2015**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after July 6, 2015, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure

cc: Michael J. Akins, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

Mr. Mark Crawford  
International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
25510 Kelly Rd.  
Roseville, MI 48066-4994

(b) (6), (b) (7)(C)

Security, Police and Fire Professionals of  
America, Local No. 287 (SPFPA)  
1939 Brooks Drive, Apartment #203  
Capitol Heights, MD 20743-5539

Mr. Henry Wolfe  
Mr. Sean Engelin  
Coastal International Security  
6101 Fallard Drive  
Upper Marlboro, MD 20772

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
Room 8820, 1099 - 14th Street, N.W.  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

---

Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION OR ITS  
AGENTS**

DO NOT WRITE IN THIS SPACE

Date Filed  
2/20/15

**INSTRUCTIONS:** File an original together with four copies and a copy for each additional charged party named in item 1 with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

b. Union Representative to contact  
Willie Jones

d. Address (street, city, state and ZIP code)

71 E. Cherry St., Rahway, NJ

e. The above-named organization(s) or its agents has engaged in and is engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Since on or about (b) (6), (b) (7)(C) 2014, and at all relevant times, the above-named Labor Organization, by its officers, agents, and representatives, restrained and coerced the employees of Paragon Systems, Inc. in the exercise of rights guaranteed in Section 7 of the Act by failing to represent employee (b) (6), (b) (7)(C) concerning (b) (6) dispute with the Employer over (b) (6) seniority pursuant to the parties' collective-bargaining agreement.

4 Phone: 703-263-7176

FAX:

6 Employer representative to contact  
Lori Raines

8. Identify principal product or service  
**Security Services**

9	Number of workers employed	25
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(b) (6), (b) (7)(C)

12. Phone: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

FAX:

### 13. DECLARATION

I charge and that the statements are true to the best of my knowledge and belief.

2-17-15

An Individual  
(title or office, if any)

Phone. (b) (6), (b) (7)(C)

FAX:

(b) (6), (b) (7)(C)

(Address)

(Telephone No.)

(date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. §151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

July 31, 2015

(b) (6), (b) (7)(C)

Re: International Union Security, Police and  
Fire Professionals of America, Local 444  
(Paragon Systems, Inc.)  
Case 05-CB-146780

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Union Security, Police and Fire Professionals of America, Local 444 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlrb.gov](http://www.nlrb.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **August 14, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than August 13, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.



July 31, 2015

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before August 14, 2015**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlrb.gov](http://www.nlrb.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after August 14, 2015, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure

cc: Mr. Willie Jones  
International Union Security, Police And  
Fire Professionals Of America, Local 444  
71 E Cherry Street  
Rahway, NJ 07065-4000

Ms. Lori Raines  
Paragon Systems Inc.  
13655 Dulles Technology Drive  
Suite 100  
Herndon, VA 20171-4633

Michael J. Akins, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case 05-CB-147801	Date Filed 3/6/2015

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name Security Police and Fire Professionals of America (SPFPA)	b. Union Representative to contact (b) (6), (b) (7)(C)	
c. Address (street, city, state and ZIP code) 25510 Kelly Road Roseville, MI 48066	d. Tel. No. (586) 772-7250 (b) (6), (b) (7)(C)	e. Cell No. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
	f. Fax No. (586) 772-9644	g. e-Mail (b) (6), (b) (7)(C)

h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Since on or about (b) (6), (b) (7)(C) 2014, and at all times thereafter, the above-named Labor Organization, by its officers, agents and representatives, restrained and coerced the employees of Coastal International Security, Inc. in the exercise of the rights guaranteed in Section 7 of the Act, by failing or refusing to process the grievance of (b) (6), (b) (7)(C).

3. Name of Employer Coastal International Security, Inc.	4a. Tel. No. (703) 339-0233 x 440	b. Cell No.
	c. Fax No.	d. e-Mail jsimons@coastalsecurity.com

5. Location of plant involved (street, city, state and ZIP code) 6101 Fillard Drive, Upper Marlboro, MD 27772	6. Employer representative to contact Janet Simons, Human Resources
7. Type of establishment (factory, mine, wholesaler, etc.) Government Contractor (U.S. Dept. of Commerce, 1401 Constitution Ave. NW, Washington, DC 20230)	8. Identify principal product or service Security Services
	9. Number of workers employed 60+

10. Full name of party filing charge (b) (6), (b) (7)(C)	11 a. Tel. No.	b. Cell No. (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state and ZIP code) (b) (6), (b) (7)(C)	c. Fax No.	d. e-Mail (b) (6), (b) (7)(C)

I declare (b) (6), (b) (7)(C) statements are true to the best of my knowledge and belief	Tel. No. (b) (6), (b) (7)(C)
By (signature) (b) (6), (b) (7)(C) An Individual (title or office, if any)	Cell No.
	Fax No.
	e-Mail (b) (6), (b) (7)(C)
Address 3/15	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. §151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

June 29, 2015

Gordon A. Gregory, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Sq., Ste. 3727  
Detroit, MI 48226-2893

Re: Security Police and Fire Professionals of  
America (SPFPA)  
(Coastal International Security, Inc.)  
Case 05-CB-147801

Dear Mr. Gregory:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: (b) (6), (b) (7)(C)  
[REDACTED]  
International Union, Security, Police and  
Fire Professionals Of America (SPFPA)  
25510 Kelly Rd.  
Roseville, MI 48066-4994

(b) (6), (b) (7)(C)  
[REDACTED]

Ms. Janet Simons  
Human Resources  
Coastal International Security, Inc  
6101 Fallard Drive  
Upper Marlboro, MD 20772

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
05-CB-148301	03/16/2015

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name <b>United Security &amp; Police Officers of America (USPOA)</b>	b. Union Representative to contact <b>Assane Faye, Executive Director</b>
c. Address (street, city, state and ZIP code) <b>1101 Pennsylvania Ave., NW Suite 600 Washington, DC 20004</b> <i>Also: Residence in TOM'S RIVER N.J.</i>	d. Tel. No. <b>732-644-0390</b> e. Cell No. <b>202-239-0302</b> f. Fax No. <b>732-736-1237</b> g. e-Mail <b>assane.faye@aol.com</b>

h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within the last six months, the above-named Labor Organization, by its officers, agents, and representatives, has restrained and coerced employees from exercising their Section 7 rights by expelling (b) (6), (b) (7)(C) from membership and/or making (b) (6), (b) (7)(C) ineligible to run for office in an upcoming national officer election because of (b) (6), (b) (7)(C) protected concerted activities.

3. Name of Employer <b>MVM, Inc.</b>	4a. Tel. No. <b>571-223-4541</b>	b. Cell No. <b>571-420-1454</b>
	c. Fax No. <b>571-223-4474</b>	d. e-Mail <b>mchalec@mvmnc.com</b>

5. Location of plant involved (street, city, state and ZIP code) <b>44620 Guilford Ave., Suite 150, Ashburn, VA, 20147</b>	6. Employer representative to contact <b>Christopher McHale, General Counsel</b>
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7. Type of establishment (factory, mine, wholesaler, etc.) <b>Healthcare/research</b>	8. Identify principal product or service <b>Security</b>	9. Number of workers employed <b>389</b>
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10. Full name of party filing charge <b>(b) (6), (b) (7)(C)</b>	11 a. Tel. No.	b. Cell No. <b>(b) (6), (b) (7)(C)</b>
11. Address of party filing charge (street, city, state and ZIP code) <b>(b) (6), (b) (7)(C)</b>	c. Fax No.	d. e-Mail <b>(b) (6), (b) (7)(C)</b>

12. DECLARATION I declare <b>(b) (6), (b) (7)(C)</b> that the statements are true to the best of my knowledge and belief		Tel. No.
By <b>(b) (6), (b) (7)(C)</b> (signature) <b>(b) (6), (b) (7)(C)</b> an Individual (title or office, if any)		Cell No. <b>(b) (6), (b) (7)(C)</b>
		Fax No.
		e-Mail <b>(b) (6), (b) (7)(C)</b>
<b>(b) (6), (b) (7)(C)</b> Address		Date <b>12 MAR 15</b>

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. §151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes.





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

April 30, 2015

(b) (6), (b) (7)(C)

Re: United Security & Police Officers of  
America (MVM, Inc.)  
Case 05-CB-148301

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that United Security & Police Officers of America (USPOA) has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

Your charge alleges that the United Security & Police Officers of America (Union) violated Section 8(b)(1)(A) of the Act by expelling you from membership and/or making you ineligible to run for office in an upcoming national officer election because of your protected concerted activities.

The investigation revealed that between (b) (6), (b) (7)(C) 2014, six charges were filed against you alleging violations of the Union's constitution and by-laws. On (b) (6), (b) (7)(C) 2015, you were notified by the Union that your membership was revoked and thus became ineligible to run for a national position.

The Union's revocation of your membership resulting in your ineligibility to run for a national union office does not violate the National Labor Relations Act. The Supreme Court has held that Section 8(b)(1)(A) does not propose constraints upon internal union affairs that do not affect members' employment status. *Scofield v. NLRB*, 394 U.S. 423, 428 (1969). The Board has interpreted this rule to mean that protected activity relating to union membership or discipline must bear some relation to employees' interest as employees—i.e., the terms and conditions of their employment—to fall within the Act's protections. *Office Employees Local 251 (Sandia Natl. Laboratories)*, 331 NLRB 1417, 1424 (2000) (Section 8(b)(1)(A) does not "regulate the relationship between unions and their members unless there [is] some nexus with the employer-employee relationship and a violation of the rights and obligations of employees under the Act."). Furthermore, the Board does not construe Section 8(b)(1)(A) violations relating to matters that are virtually wholly intraunion affairs and disputes and that have only a speculative impact on the employer-employee relationship and do not significantly implicate the rights and duties established by the Act. *Id.* at 1425 (asserting this principle and advising that the forum for resolving these types of issues is an action under the LMRDA); accord *Textile Processors Local 311 (Mission Uniform)*, 332 NLRB 1352, 1354 (2000) (holding that refusing to

accept an individual's dues tender did not affect future employment opportunities, or otherwise adversely affect her conditions of employment and is thus an internal union matter not falling within the scope of the Act).

Here, the investigation did not establish that the alleged actions upon you had any effect upon your employment status. Rather, the Union's revocation of your membership making you ineligible to run for national union office is an internal union matter that falls outside the Board's protection. In light of the foregoing, I cannot conclude that the Union violated Section 8(b)(1)(A) of the Act as alleged and I am refusing to issue a complaint in this matter.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlr.gov](http://www.nlr.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14<sup>th</sup> Street NW, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **May 14, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than May 13, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before May 14, 2015**. The request may be filed electronically through the **E-File Documents** link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202) 273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after May 14, 2015, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an

appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure

cc: Mr. Assane B. Faye, Executive Director  
United Security & Police Officers of  
America (USPOA)  
1101 Pennsylvania Avenue, N.W.  
Suite 600  
Washington, DC 20004

Mr. Assane B. Faye, Executive Director  
United Security & Police Officers of  
America (USPOA)  
1501 Manchester Street  
Toms River, NJ 08757-1330

Christopher McHale, Esq.  
MVM, Inc.  
44620 Guilford Drive, Suite 150  
Ashburn, VA 20147-6063

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
Room 8820, 1099 - 14th Street, N.W.  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		DO NOT WRITE IN THIS SPACE	
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		Case 05-CB-148386	Date filed 03/12/2015
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security, Police and Fire Professionals of America (SPFPA), Local 275		b. Union Representative to Contact (b) (6), (b) (7)(C)	
c. Address 8800 Greenbelt Road Greenbelt, MD 20771		d. Tel. No. 301-286-8661	e. Cell No. (b) (6), (b) (7)(C)
		f. Fax No.	g. e-Mail
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (1) (A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Since about (b) (6), (b) (7)(C) 2014, the above-named labor organization has restrained and coerced employees by refusing to process the grievance of (b) (6), (b) (7)(C) regarding (b) (6) termination for arbitrary or discriminatory reasons or in bad faith.</p>			

3. Name of Employer Alutiiq		4a. Tel. No. 301-286-4133	4b. Cell No. 757-582-2141
		4c. Fax No.	4d. e-Mail gdickerson@alutiiq.com
5. Location of Plant involved (street, city, state, and ZIP code) 8800 Greenbelt Road, Greenbelt, MD 20771 (NASA)		6 Employer representative to contact Galen Dickerson, Project Manager	
7 Type of Establishment (factory, mine, wholesaler) Federal Government Building	8. Principal product or service Security		9. Number of Workers employed 90
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No. (b) (6), (b) (7)(C)
		11c. Fax No.	11d e-Mail (b) (6), (b) (7)(C)
11 Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
By: (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) An Individual	Tel No. (b) (6), (b) (7)(C)	
(sig)	Print/type name and title or office, if any	Cell No. (b) (6), (b) (7)(C)	
Address. (b) (6), (b) (7)(C)		Date: 3/4/15	Fax No.
			e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes. (b) (6), (b) (7)(C)





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

June 16, 2015

Matthew J. Clark, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2822

Re: International Union, Security, Police and  
Fire Professionals of America (SPFPA),  
Local 275 (Alutiiq)  
Case 05-CB-148386

Dear Mr. Clark:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: (b) (6), (b) (7)(C)  
International Union, Security, Police, and  
Fire Professionals of America (SPFPA)  
8800 Greenbelt Road  
Greenbelt, MD 20771-2400

(b) (6), (b) (7)(C)

Mr. Galen Dickerson, Project Manager  
Alutiiq  
8800 Greenbelt Road  
Greenbelt, MD 20771-2400

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
05-CB-149122	03-26-2015

INSTRUCTIONS. File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring

1 LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a Name International Union Security Police and Fire Professionals of America (SDPFA) Local-4151		b Union Representative to contact Rick O'Quinn, V.P. Region - 2	
c Address (Street, city, state, and ZIP code) 25510 Kelley Road Roseville, Michigan 48066		d Tel. No. 586-772-7250	e Cell No.
		f Fax No. 586-772-9644	g e-Mail
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) 8 (b) (3) (A) (5) (A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act			
2 Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) On or about (b) (6), (b) (7)(C) 2014, and engaging the union by its officers and Representatives blatantly and discriminatively breached the Duty of Fair Representation by denying me the contractual rights to have grievances properly processed because of lack of membership in the union. The Union Officers and Representatives have arbitrarily with Precedent and Prejudice refused and continue to refuse verbal and written requests for facts regarding my grievances. The Union and Employer continue to process grievance in a perfunctory manner by improperly denying me an opportunity to participate in the grievance process. The Union continues to allow the Employer to dominate its concerted activities that's protected by NLRB Section 7 by violating NLRB-Section 8(a)(2)			
3. Name of Employer Newport News Shipbuilding (III) Huntington Ingalls		4a Tel. No. 751-488-2587	b. Cell No. 848-3772
		c Fax No. 380-3874	d e-Mail
5 Location of plant involved (street, city, state and ZIP code) 4101 Washington Ave Newport News VA 23607		6 Employer representative to contact Chris Boyer	
7. Type of establishment (factory, mine, wholesaler, etc.) shipbuilding	8 Identify principal product or service Naval Ships	9. Number of workers employed 15,000	
(b) (6), (b) (7)(C)		11a. Tel No	(b) (6), (b) (7)(C)
		c Fax No	d. e-Mail
11. Address of party filing charge (street, city, state and ZIP code) (b) (6), (b) (7)(C)			
I declare (b) (6), (b) (7)(C) and that the statements (b) (6), (b) (7)(C) are true to the best of my belief.		Tel. No	
By (b) (6), (b) (7)(C) (person making charge) (Print type name and title or office, if any)		Cell No	
		Fax No	
Address (b) (6), (b) (7)(C)		e-Mail	
		(date) 3/17/2015	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

June 30, 2015

(b) (6), (b) (7)(C)

Re: International Union Security Police and  
Fire Professionals of America (SPFPA)  
Local 451 (Newport News Shipbuilding &  
Drydock)  
Case 05-CB-149122

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Union Security Police and Fire Professionals of America (SPFPA) Local 451 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlrb.gov](http://www.nlrb.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street, S.E., Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **July 14, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than July 13, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

June 30, 2015

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before July 14, 2015**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202) 273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after July 14, 2015, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure: Appeal Form

cc: Mr. Rick O'Quinn, V.P. Region 2  
International Union Security Police and  
Fire Professionals of America (SPFPA)  
Local 451  
25510 Kelly Road  
Roosevelt, MI 48066  
  
James M. Moore, Esq.  
Gregory, Moore, Jeakle & Brooks PC  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2893

Mr. Chris Hoyer  
Newport News Shipbuilding & Drydock  
4101 Washington Avenue  
Newport News, VA 23607  
  
Dean C. Berry, Esq.  
Huntington Ingalls, Inc.  
Newport News Shipbuilding  
4101 Washington Avenue  
Newport News, VA 23607

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
Room 8820, 1099 - 14th Street, N.W.  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*





UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, DC 20570

August 28, 2015

(b) (6), (b) (7)(C)

Re: International Union Security Police and  
Fire Professionals of America (SPFPA)  
Local 451  
(Newport News Shipbuilding & Drydock)  
Case 05-CB-149122

Dear (b) (6), (b) (7)(C):

This office has carefully considered the appeal from the Regional Director's refusal to issue complaint. We agree with the Regional Director's decision and deny the appeal.

With respect to the allegation that the Union breached its duty of fair representation to you, the applicable legal standard for finding a violation of a union's duty of fair representation was explained by the Supreme Court in *Vaca v. Sipes*, 386 U.S. 171 (1967). In that case, the Court held that a union is generally afforded a wide range of discretion in the performance of its representation functions, provided that its conduct is not motivated by arbitrary, irrelevant or discriminatory considerations. Moreover, an employee does not have an absolute right to have his or her grievance processed by the union. Rather, unions have broad discretion in disposing of a grievance short of arbitration. *Id.* at 190-192. Also, the Board has held that a union does not have to follow a particular procedure in handling a grievance. See *International Longshoremen and Warehousemen's Union, Local 8*, 321 NLRB 822 (1996).

Here, the probative evidence was insufficient to establish that the Union acted arbitrarily or discriminatorily toward you or that its actions were motivated by unlawful considerations. Rather, the investigation revealed that the Union processed your grievance to Step 3 and secured a remedy which included the Employer reinstating you to (b) (6), (b) (7)(C) classification and providing you backpay for the difference between the (b) (6), (b) (7)(C) wage-rate. Based on its good-faith assessment of the merits of your grievance and likelihood of success at arbitration, the Union decided not to pursue your grievance to arbitration. Although you do not agree with the settlement, the Union acted within its discretion and its actions in settling your grievance short of arbitration without your consent do not constitute a breach of the duty of fair representation.

To the extent that you allege that the Employer unlawfully dominates the Union, the probative evidence failed to support this assertion.

International Union Security Police and Fire  
Professionals of America (SPFPA) Local  
451  
(Newport News Shipbuilding & Drydock)  
Case 05-CB-149122

-2

Accordingly, further proceedings are unwarranted.

Sincerely,

Richard F. Griffin, Jr.  
General Counsel



By:

---

Mark Arbesfeld, Acting Director  
Office of Appeals

cc: CHARLES L. POSNER  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
BANK OF AMERICA CENTER  
TOWER II  
100 S. CHARLES ST STE 600  
BALTIMORE, MD 21201

CHRIS HOYER  
NEWPORT NEWS SHIPBUILDING &  
DRYDOCK  
4101 WASHINGTON AVE  
NEWPORT NEWS, VA 23607

DEAN C. BERRY, ESQ.  
HUNTINGTON INGALLS, INC.,  
NEWPORT NEWS SHIPBUILDING  
4101 WASHINGTON AVE  
NEWPORT NEWS, VA 23607

RICK O'QUINN, VP REGION 2  
INTERNATIONAL UNION SECURITY  
POLICE AND FIRE PROFESSIONALS  
OF AMERICA (SPFPA) LOCAL 451  
25510 KELLY RD  
ROOSEVELT, MI 48066

JAMES M. MOORE, ESQ.  
GREGORY MOORE JEAKLE AND  
BROOKS PC  
65 CADILLAC SQ STE 3727  
DETROIT, MI 48226-2893

kf

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
05-CB-150113	4/14/15

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security, Police and Fire Professionals of America (SPFPA) Local 449		b. Union Representative to contact (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)	
c. Address (Street, city, state, and ZIP code) 25510 Kelly Road Roseville, Michigan 48066		d. Tel. No. 586-772-7250	e. Cell No. (b) (6), (b) (7)(C)
		f. Fax No.	g. e-Mail
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) <u>ACLR</u> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) On (b) (6), (b) (7)(C) 14 I received an e-mail from (b) (6), (b) (7)(C) informing me my Union Seniority date had changed from (b) (6), (b) (7)(C) to (b) (6), (b) (7)(C) without any justifiable cause. I lost (b) (6) years and (b) months of seniority and dropped from 18th to 178th on the FPS Seniority list distributed by SPFPA Union 449 on 11/20/14. (b) (6), (b) (7)(C) e-mail was my first notification of what i consider to be a unfair labor practice. I have been (b) (6), (b) (7)(C) on this West Virginia contract (HSHQE3-13-D-00001) since (b) (6), (b) (7)(C) and employed by four (4) different Companies working at both the Bureau of Alcohol, Tobacco, Firearms and Explosives and the United States Coast Guard. On 7/15/14, a Collective Bargaining Agreement (CBA) was enacted by both FJC and the International Union (SPFPA). I had been the (b) (6), (b) (7)(C) at the Coast Guard from (b) (6), (b) (7)(C) until (b) (6), (b) (7)(C) but my position as (b) (6), (b) (7)(C) was eliminated due to FJC's supervisory reorganization. Up until 10/21/14 all FPS Seniority lists distributed by the Union indicated my Union seniority date to be (b) (6), (b) (7)(C) (original hire date). The Union has now determined my seniority date to be (b) (6), (b) (7)(C) for bidding on posts, schedules, assignments, layoffs, transfers, etc. My original hire date of (b) (6), (b) (7)(C) is only good for benefits purposes.			
3. Name of Employer FJC Security Services Inc. 275 Jericho Turnpike Floral Park, New York 11001		4a. Tel. No. 513-328-6000	b. Cell No.
		c. Fax No.	d. e-Mail
5. Location of plant involved (street, city, state and ZIP code) United States Coast Guard 408 Coast Guard Drive, Kearneysville, WV 25430		6. Employer representative to contact Walter Alkire 304-262-9010	
7. Type of establishment (factory, mine, wholesaler, etc.) Operation Systems Center	8. Identify principal product or service	9. Number of workers employed	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No.	b. Cell No. (b) (6), (b) (7)(C)
		c. Fax No.	d. e-Mail
11. Address of party filing charge (street, city, state and ZIP code.) (b) (6), (b) (7)(C)			
12. DECLARATION I declare (b) (6), (b) (7)(C) is therein are true to the best of my knowledge and belief. By (b) (6), (b) (7)(C) (Print/type name and title or office, if any)  (b) (6), (b) (7)(C) Address (date) 3/31/15		Tel. No.  Cell No. (b) (6), (b) (7)(C) Fax No.  e-Mail (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case	Date Filed

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security, Police and Fire Professionals of America (SPFPA) Local 449		b. Union Representative to contact (b) (6), (b) (7)(C)	
c. Address (Street, city, state, and ZIP code) 25510 Kelly Road Roseville, Michigan 48066		d. Tel. No. 586-772-7250	e. Cell No. (b) (6), (b) (7)(C)
		f. Fax No.	g. e-Mail
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) <u>8(c)(4)</u> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Continuation from page 1  I filed grievances against FJC and SPFPA for changing my seniority date to (b) (6), (b) (7)(C) without just and sufficient cause. I never knew my seniority date was being changed until (b) (6), (b) (7)(C)/14. On (b) (6), (b) (7)(C)/14, FJC (Company) rejected my grievance stating the decision to change my Union seniority date was based solely on the evaluation of the Union (SPFPA) regarding the respective employees membership in the bargaining unit and their bargaining unit seniority. SPFPA also rejected my grievance as stated by (b) (6), (b) (7)(C), regional Director of SPFPA, "it was (b) (6) opinion that at no time during the dates and times in question were i considered a member of the Bargaining Unit and my original seniority date will not be honored by the local." (b) (6), (b) (7)(C) states my hours worked were within the bargaining Unit. it should be noted i supported SPFPA and became part of a Bargaining Unit by signing the Union authorization card to help certify the Union as the USCG (b) (6), (b) (7)(C). I also signed the SPFPA/Authorization for check-off of dues card on (b) (6), (b) (7)(C)/14 and have paid the same exact amount of dues as all full-time WV FJC PSOs on this contract. (Continued on page 3)			
3. Name of Employer FJC Security Services Inc. 275 Jericho Turnpike Floral Park, New York 11001		4a. Tel. No. 513-328-6000	b. Cell No.
		c. Fax No.	d. e-Mail
5. Location of plant involved (street, city, state and ZIP code) United States Coast Guard 408 Coast Guard Drive, Kearneysville, WV 25430		6. Employer representative to contact Walter Alkire 304-262-9010	
7. Type of establishment (factory, mine, wholesaler, etc.) Operation Systems Center	8. Identify principal product or service	9. Number of workers employed	
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No.	b. Cell No. (b) (6), (b) (7)(C)	
	c. Fax No.	d. e-Mail	
11. Address of party filing charge (street, city, state and ZIP code.) (b) (6), (b) (7)(C)			
I declare (b) (6), (b) (7)(C) herein are true to the best of my knowledge and belief. By (b) (6), (b) (7)(C) (s) (Print/type name and title or office, if any)		Tel. No. Cell No. (b) (6), (b) (7)(C) Fax No. e-Mail (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)	
Address (b) (6), (b) (7)(C) (date) 3/31/15			

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

**DO NOT WRITE IN THIS SPACE**

Case

Date Filed

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

**1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT**

a. Name International Union, Security, Police and Fire Professionals of America (SPFPA) Local 449		b. Union Representative to contact (b) (6), (b) (7)(C)	
c. Address (Street, city, state, and ZIP code) 25510 Kelly Road Roseville, Michigan 48066		d. Tel. No. 586-772-7250	e. Cell No. (b) (6), (b) (7)(C)
		f. Fax No.	g. e-Mail
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) <u>(b) (6), (b) (7)(C)</u> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			

**2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)**

Continued from page 2.

The current CBA addresses management. When the CBA was enacted on 7/15/14, FJC considered me management until removed on (b) (6), (b) (7)(C)/14. The following excerpt from the CBA allows me to retain my seniority: Section 12.7 of the CBA - Return of personnel to the bargaining Unit - The second paragraph which reads: An employee who accepts a permanent management position with the Company shall retain the seniority the employee had at the date of promotion to management, but shall not accumulate additional seniority while in that capacity; provided that, if the employee is employed in the management position for more than ninety (90) days, the employee shall lose his or her seniority. I was considered management for approximately (b) (6), (b) (7)(C) days under the current CBA and well within the 90 day grace period. It should also be noted that I have manned a post every single day worked since (b) (6), (b) (7)(C) and have been compensated on a hourly wage just like all other security officers. The relief I am seeking is to have my Union Seniority date changed back to my original hire date of (b) (6), (b) (7)(C).

3. Name of Employer FJC Security Services Inc. 275 Jericho Turnpike Floral Park, New York 11001		4a. Tel. No. 513-328-6000	b. Cell No.
		c. Fax No.	d. e-Mail
5. Location of plant involved (street, city, state and ZIP code) United States Coast Guard 408 Coast Guard Drive, Kearneysville, WV 25430		6. Employer representative to contact Walter Alkire 304-262-9010	
7. Type of establishment (factory, mine, wholesaler, etc.) Operation Systems Center	8. Identify principal product or service	9. Number of workers employed	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No.	b. Cell No. (b) (6), (b) (7)(C)
		c. Fax No.	d. e-Mail
11. Address of party filing charge (street, city, state and ZIP code.) (b) (6), (b) (7)(C)			

I declare that the foregoing facts are true to the best of my knowledge and belief. By (b) (6), (b) (7)(C) (Print/type name and title or office, if any)  Address (b) (6), (b) (7)(C) (date) 3/31/15	Tel. No.
	Cell No. (b) (6), (b) (7)(C)
	Fax No.
	e-Mail (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

May 6, 2015

**(b) (6), (b) (7)(C)**

International Union, Security, Police and  
Fire Professionals of America  
(SPFPA) Local 449  
25510 Kelly Road  
Roseville, MI 48066-4994

Re: International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
Local 449 (FJC Security Services Inc.)  
Case 05-CB-150113

Dear **(b) (6), (b) (7)(C)**:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

A handwritten signature in cursive script, reading "Charles L. Posner".

Charles L. Posner  
Regional Director

cc: Mr. Walter Alkire  
FJC Security Services, Inc.  
275 Jericho Turnpike  
Floral Park, NY 11001-2150

Mr. Walter Alkire  
FJC Security Services Inc.  
United States Coast Guard  
408 Coast Guard Drive  
Kearneysville, WV 25430

**(b) (6), (b) (7)(C)**

Clifford Ingber, Esq.  
Ingber Law Firm, PLLC  
6 Stallion Trail  
Greenwich, CT 06831-3040

INTERNET  
FORM NLRB-508  
(2-08)UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

FORM EXEMPT UNDER 44 U.S.C. 3512

DO NOT WRITE IN THIS SPACE

Case	Date Filed
OS-CB-152480	05/14/2015

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name International Union of Security, Police and Fire Professionals of America, Local 461	b. Union Representative to contact (b) (6), (b) (7)(C)
c. Address (Street, city, state, and ZIP code) 508 Nova Avenue Capitol Heights, Maryland 20743	d. Tel. No. 586-772-7250, (b) (6), (b) (7)(C) e. Cell No. (b) (6), (b) (7)(C) f. Fax No. (b) (6), (b) (7)(C) g. e-Mail (b) (6), (b) (7)(C)
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) 1(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	

## 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Since on or about (b) (6), (b) (7)(C) 2015, the above-named Labor Organization, by its officers, agents and representatives, failed to fairly represent its membership by failing and refusing to process a grievance for the below-named employer's refusal and failure to abide by the collective-bargaining provision which provides that the payment of health and welfare benefit wages as real wages, instead of a 401k deposit.

3. Name of Employer Paragon Systems, Inc.	4a. Tel. No. 202-205-5847 c. Fax No.	b. Cell No. 202-815-0098 d. e-Mail
5. Location of plant involved (street, city, state and ZIP code) 300 12 Street, SW, Washington, DC 20407	6. Employer representative to contact Captain Michael Bellamy	
7. Type of establishment (factory, mine, wholesaler, etc.) Security Contractor	8. Identify principal product or service Security Services	9. Number of workers employed 15
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No. (b) (6), (b) (7)(C) c. Fax No.	b. Cell No. (b) (6), (b) (7)(C) d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state and ZIP code.) 1909 Hilton Court, Bryans Road, Maryland 20616		
I, (b) (6), (b) (7)(C) declare that the foregoing is true to the best of my knowledge and belief. An Individual (Print type name and title or office, if any) (b) (6), (b) (7)(C) Address (date) 5/14/15		
Tel. No. (b) (6), (b) (7)(C) Cell No. (b) (6), (b) (7)(C) Fax No. e-Mail (b) (6), (b) (7)(C)		

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

July 30, 2015

(b) (6), (b) (7)(C)

Re: International Union of Security, Police and  
Fire Professionals of America, Local 461  
(Paragon Systems, Inc.)  
Case 05-CB-152480

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Union of Security, Police and Fire Professionals of America, Local 461 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

Your charge alleges that the Union violated Section 8(b)(1)(A) of the Act by not filing a grievance on your behalf when the Employer did not pay the employees' health and welfare benefits as wages. The investigation revealed the Union did aid you in filing a grievance on the matter and that you did not make a request to any other Union representatives to file a grievance on your behalf. Furthermore, the evidence shows that the grievance was ultimately denied because the Union and the Employer had entered into an agreement to modify the contractual terms relating to the payment of employees' health and welfare benefits so that it is consistent with the mandates set for the Affordable Care Act. A Union has an obligation under the National Labor Relations Act to represent the employees in the bargaining unit fairly, impartially, and in good faith, "[a] wide range of reasonableness must be allowed a statutory bargaining representative in serving the unit it represents, subject always to complete good faith and honesty of purpose in the exercise of its discretion," *Ford Motor Co. v. Huffman*, 345 U.S. 330, 338 (1953); *Vaca v. Sipes*, 386 U.S. 171 (1967). Thus, a union violates its obligation when its conduct is shown to be based on hostility, arbitrary reasons, or other improper motives. With respect to your charge that the Union failed to represent you, there is insufficient evidence to show that the Union's actions were based on any impermissible considerations. Accordingly, further proceedings on this allegation are not warranted.

July 30, 2015

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlrb.gov](http://www.nlrb.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **August 13, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than August 12, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before August 13, 2015**. The request may be filed electronically through the **E-File Documents** link on our website [www.nlrb.gov](http://www.nlrb.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after August 12, 2015, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

July 30, 2015

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure

cc: Gordon A. Gregory, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2893

(b) (6), (b) (7)(C)

International Union of Security, Police and  
Fire Professionals of America, Local 461  
508 Nova Avenue  
Capitol Heights, MD 20743

Captain Michael Bellamy  
Paragon Systems, Inc.  
P.O. Box 1690  
Wall, NJ 07719



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD		Case	Date filed
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		05-CB-152913	05/21/2015
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security, Police and Fire Professionals of America (SPFPA), Local 555 (MVM Security Services)		b. Union Representative to Contact Gloria Scott, President	
c. Address 2701 West Patapsco Avenue Baltimore, MD 21230		d. Tel. No. (410)646-3005	e. Cell No.
		f. Fax No. (410)646-5033	g. e-Mail
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b),(1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Since about (b) (6), (b) (7)(C) 2015, the above-named labor organization has restrained and coerced employees by refusing to process the grievance of (b) (6), (b) (7)(C) regarding 1) gear-up and gear down pay and 2) building closure pay for (b) (6), (b) (7)(C) 2015, for arbitrary or discriminatory reasons or in bad faith.</p>			
3. Name of Employer MVM, Inc. 44620 Guilford Drive, Suite 150 Ashburn, VA 20147-6063		4a. Tel. No. (571) 223-4500	4b. Cell No.
5. Location of Plant involved (street, city, state, and ZIP code) Social Security Administration Headquarters Complex 6401 Security Boulevard Baltimore, MD 21207		4c. Fax No. (571) 223-4474	4d. e-Mail michael Elliott@mvm-inc.com
6. Employer representative to contact Michael Elliott, Director of Human Resources			
7. Type of Establishment (factory, mine, wholesaler) Federal Government Building	8. Principal product or service Security	9. Number of Workers employed 400	
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No. (b) (6), (b) (7)(C)	
	11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)	
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
By: (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) An Individual	Tel. No. (b) (6), (b) (7)(C)	
(signature of representative or person making charge)	Print/type name and title or office, if any	Cell No. (b) (6), (b) (7)(C)	
Address: (b) (6), (b) (7)(C)	Date: 5/21/15	Fax No.	
		e-Mail (b) (6), (b) (7)(C)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
 PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

September 1, 2015

Ms. Gloria Scott, President  
United Union of Security Guards, Local 555, SPFPA  
2701 West Patapsco Avenue, Suite 200  
Baltimore, MD 21230

Re: International Union, Security, Police and  
Fire Professionals of America (SPFPA),  
Local 555 (MVM Security Services)  
Case 05-CB-152913

Dear Ms. Scott:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc:

(b) (6), (b) (7)(C)

Mr. Michael Elliott,  
Director of Human Resources  
MVM, Inc.  
44620 Guilford Drive, Suite 150  
Ashburn, VA 20147

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case <b>05-CB-1532-15</b>	Date Filed <b>05/29/2015</b>

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name <b>United Security &amp; Police Officers of America (USPOA)</b>		b. Union Representative to contact <b>Assane B. Faye, Executive Director</b>	
c. Address (street, city, state and ZIP code) <b>1101 Pennsylvania Avenue, NW, Suite 600 Washington, D.C. 20004</b>		d. Tel. No. <b>732-644-0390</b>	e. Cell No.
		f. Fax No. <b>732-736-1237</b>	g. e-Mail
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) <b>(1)(A)</b> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Within the last six months, the above-named Labor Organization, by its officers, agents and representatives, restrained and coerced the employees of North American Security, Inc., in the exercise of the rights guaranteed by Section 7 of the Act by, failing and refusing to process the <b>(b) (6), (b) (7)(C)</b> 2014 and <b>(b) (6), (b) (7)(C)</b> 2015 grievances of employee <b>(b) (6), (b) (7)(C)</b>.</p>			
3. Name of Employer <b>North American Security, Inc.</b>		4a. Tel. No. <b>323-634-1911</b>	b. Cell No. <b>323-517-2006</b>
		c. Fax No. <b>323-634-9111</b>	d. e-Mail <b>nasinfo@nasecurityinc.com</b>
5. Location of plant involved (street, city, state and ZIP code) <b>1801 Beverly Blvd, Los Angeles, CA 90057</b>		6. Employer representative to contact <b>Gabriela Valdez, HR Manager</b>	
7. Type of establishment (factory, mine, wholesaler, etc.) <b>Security company</b>	8. Identify principal product or service <b>Security guard services</b>	9. Number of workers employed <b>250+</b>	
10. Full name of party filing charge <b>(b) (6), (b) (7)(C)</b>		11 a. Tel. No.	b. Cell No. <b>(b) (6), (b) (7)(C)</b>
11. Address of party filing charge (street, city, state and ZIP code) <b>(b) (6), (b) (7)(C)</b>		c. Fax No.	d. e-Mail <b>(b) (6), (b) (7)(C)</b>
<p><b>(b) (6), (b) (7)(C)</b> <b>DECLARATION</b> The statements are true to the best of my knowledge and belief.</p> <p><b>(b) (6), (b) (7)(C)</b> <b>Individual</b> (title or office, if any)</p> <p><b>(b) (6), (b) (7)(C)</b></p> <p>Date <b>5/7/15</b></p>		<p>Tel. No.</p> <p>Cell No. <b>(b) (6), (b) (7)(C)</b></p> <p>Fax No.</p> <p>e-Mail <b>(b) (6), (b) (7)(C)</b></p>	
Address			

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

July 23, 2015

Mr. Assane B. Faye  
Executive Director  
United Security & Police Officers of  
America (USPOA)  
1101 Pennsylvania Avenue, N.W., Suite 600  
Washington, DC 20004

Re: United Security of Police Officers of  
America (North American Security, Inc.)  
Case 05-CB-153245

Dear Mr. Faye:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc:

(b) (6), (b) (7)(C)

Mr. Art Lopez  
North American Security, Inc.  
550 E. Carson Plaza Dr., Suite 222  
Carson, CA 90746

Ms. Karen Savino  
Human Resources Manager  
North American Security, Inc.  
550 E Carson Plaza Dr., Ste. 222  
Carson, CA 90746-7371



UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD		Case	Date filed
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		05-CB-154400	06/17/15
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security, Police and Fire Professionals of America, (SPFPA) Local 287		b. Union Representative to Contact (b) (6), (b) (7)(C) Local 287	
c. Address 25510 Kelly Road Roseville, MI 48088		d. Tel. No. 586-772-7250	e. Cell No.
		f. Fax No. 586-772-9644	g. e-Mail
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b)(1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
Since about (b) (6), (b) (7)(C) 2015, the above-named labor organization has restrained and coerced employees by refusing to process the grievance of (b) (6), (b) (7)(C) regarding (b) (6), suspension for arbitrary or discriminatory reasons or in bad faith.			

3. Name of Employer Coastal International Security (Ronald Reagan Building)		4a. Tel. No. 703-339-0233	4b. Cell No.
		4c. Fax No. 703-339-7951	4d. e-Mail gheath@coastal-security.com
5. Location of Plant involved (street, city, state, and ZIP code) 6101 Fallard Drive Upper Marlboro, MD 20771		6. Employer representative to contact Gail Heath	
7. Type of Establishment (factory, mine, wholesaler) Government Building	8. Principal product or service Security		9. Number of Workers employed 300+
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No. (b) (6), (b) (7)(C)	
	11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)	
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
(b) (6), (b) (7)(C)		An Individual	Tel No. (b) (6), (b) (7)(C)
(signature of representative or person making charge) Kevin Bailey	Print/type name and title or office, if any		Cell No. (b) (6), (b) (7)(C)
Address: (b) (6), (b) (7)(C)	Date: 6/17/2015	Fax No.	
		e-Mail (b) (6), (b) (7)(C)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

July 29, 2015

Matthew J. Clark, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

Re: International Union, Security, Police and  
Fire Professionals of America, (SPFPA)  
Local 287 (Coastal International Security)  
Case 05-CB-154400

Dear Mr. Clark:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: (b) (6), (b) (7)(C)

International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
Local 287  
25510 Kelly Rd.  
Roseville, MI 48066-4932

(b) (6), (b) (7)(C)

Ms. Gail Heath  
Coastal International Security, Inc.  
6101 Fallard Drive  
Upper Marlboro, MD 20772-3878

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		DO NOT WRITE IN THIS SPACE	
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		Case 05-CB-155539	Date filed 07/02/2015
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name Security Police and Fire Professional America (SPFPA), Local 555		b. Union Representative to Contact (b) (6), (b) (7)(C)	
c. Address 2701 Patapsco Ave., Baltimore, MD 21230		d. Tel. No. 301-661-3439	e. Cell No.
		f. Fax No.	g. e-Mail
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Since about (b) (6), (b) (7)(C) 2015 the above-named labor organization has restrained and coerced employees by refusing to process the grievance of (b) (6), (b) (7)(C) regarding the Employer's failure to pay wages as described in the collective bargaining agreement for arbitrary or discriminatory reasons or in bad faith.</p>			

3. Name of Employer Security Walls		4a. Tel. No. 240-613-6946	4b. Cell No.
		4c. Fax No.	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code) 5000 Ellin Road, New Carrollton, MD 20706		6. Employer representative to contact Elaine Foster	
7. Type of Establishment (factory, mine, wholesaler) Federal Office Building	8. Principal product or service Security Services		9. Number of Workers employed 40
10. Full name of party filing charge (b) (6), (b) (7)(C) An Individual		11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No.
		11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that the statements herein are true to the best of my knowledge and belief.			
By (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) An Individual	Tel. No. (b) (6), (b) (7)(C)	
(Signature of party filing charge)	Print/type name and title or office, if any	Cell No.	
(b) (6), (b) (7)(C)		Date: 6/27/15	Fax No.
			e-Mail

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes. (b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

August 6, 2015

(b) (6), (b) (7)(C)

International Union, Security, Police and  
Fire Professionals of America (SPFPA), Local 555  
2701 Patapsco Avenue, Suite 107  
Baltimore, MD 21230

Re: Security Police and Fire Professionals of  
America (SPFPA), Local 555  
(Security Walls)  
Case 05-CB-155539

Dear (b) (6), (b) (7)(C):

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: (b) (6), (b) (7)(C)

Ms. Elaine Foster  
Security Walls  
5000 Ellin Road  
Lanham, MD 20706-1336

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		DO NOT WRITE IN THIS SPACE	
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		Case 05-CB-156648	Date filed 07-22-2015
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union Security, Police, and Fire Professionals of America (SPFPA), Local 555		b. Union Representative to Contact Gloria Scott, Union President	
c. Address 2701 West Patapsco Avenue Baltimore, MD 21230		d. Tel. No. 410-646-3120	e. Cell No.
		f. Fax No. 410-646-5033	g. e-Mail
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
Since on or about (b) (6), (b) (7)(C) 2015, the above-named labor organization, by its officers, agents, and representatives, has restrained and coerced employees by refusing to process the grievance of (b) (6), (b) (7)(C) regarding (b) (6), discharge, for arbitrary or discriminatory reasons or in bad faith.			
3. Name of Employer MVM, Inc. 44620 Guilford Drive, Suite 150 Ashburn, VA 20147		4a. Tel. No. (571) 223-4500	4b. Cell No.
		4c. Fax No. (571) 223-4474	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code) Social Security Administration Headquarters Complex 6401 Security Boulevard Baltimore, MD 21207		6. Employer representative to contact Dario Marquez, Chief Executive Officer	
7. Type of Establishment (factory, mine, wholesaler) Federal Government Building	8. Principal product or service Security Services	9. Number of Workers employed 300+	
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No. (b) (6), (b) (7)(C)	
	11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)	
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
B (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) An Individual	Tel No. (b) (6), (b) (7)(C)	
(s)	Print/type name and title or office, if any	Cell No. (b) (6), (b) (7)(C)	
Address: (b) (6), (b) (7)(C)	Date: 7-22-15	Fax No.	
		e-Mail (b) (6), (b) (7)(C)	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**  
**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

October 28, 2015

(b) (6), (b) (7)(C)

Re: International Union Security, Police and  
Fire Professionals of America (SPFPA)  
Local 555 (MVM, Inc.)  
Case 05-CB-156648

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that Security, Police and Fire Professionals of America (SPFPA), Local 555 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

Your charge alleges that the International Union Security, Police and Fire Professionals of America (SPFPA), Local 555 (the Union) has violated Section 8(b)(1)(A) of the Act by restraining and coercing employees by refusing to process your grievance regarding your termination for arbitrary or discriminatory reasons, or in bad faith. The investigation failed to establish that the Union violated the Act as alleged.

A breach of the duty of fair representation occurs only when a union's conduct toward a member of its unit is arbitrary, discriminatory, or in bad faith. *Vaca v. Snipes*, 386 U.S. 171, 190 (1967). The Board has subsequently indicated that a union's representative duties in the early pre-arbitral stages of a grievance are not the same as the duty owed by an attorney to a client or the duty of a union to be an advocate once in arbitration. *Hotel & Restaurant Employees Local 64 (HLJ Management)*, 278 NLRB 773,773 (1986). Indeed, a union is afforded a wide wage of discretion in performing its representational functions. In this instance, there is insufficient evidence to support your allegation that the Union acted arbitrarily, or in a discriminatory fashion. The investigation revealed that you discharged your firearm on (b) (6), (b) (7)(C) 2015, while employed by MVM, Inc. (the Employer) at the close of your shift. You were subsequently terminated by the Employer for negligent discharge of a firearm. The investigation revealed that, upon the Union's review of the video footage of the incident, the Union chose not to contest your termination because it believed the Employer's decision was warranted under the circumstances. The investigation further revealed that while the Union did not file an official grievance, it sought to mitigate your termination, advocating on your behalf with the Employer. The investigation also showed that subsequently the Employer offered to rehire you in an unarmed capacity with the same wage rate and seniority as your previous position, but that you chose to decline this position. Thus, the evidence shows that the Union's actions were based on its

October 28, 2015

assessment of the merits of a potential grievance covering your situation, and were not based on any invidious or discriminatory consideration.

Based on the foregoing, further proceedings are not warranted, and I am refusing to issue complaint herein.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlr.gov](http://www.nlr.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street, S.E., Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **November 11, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than November 10, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before November 11, 2015**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202) 273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after November 11, 2015, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is

October 28, 2015

successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required

by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure: Appeal Form

cc: Ms. Gloria Scott, President  
Security, Police and Fire Professionals  
of America (SPFPA), Local 555  
2701 West Patapsco Avenue, Suite 107  
Baltimore, MD 21230

Gordon Gregory, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
International Union, SPFPA  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2822

Mr. Dario Marquez  
Chief Executive Officer  
MVM, Inc.  
44620 Guilford Drive, Suite 150  
Ashburn, VA 20147

Christopher McHale, Esq.  
MVM, Inc.  
44620 Guilford Drive, Suite 150  
Ashburn, VA 20147-6063

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, DC 20570

December 16, 2015

(b) (6), (b) (7)(C)

Re: MVM, Inc.  
Case 05-CA-159905

International Union Security, Police and  
Fire Professionals of America (SPFPA)  
Local 555 (MVM, Inc.)  
Case 05-CB-156648

Dear (b) (6), (b) (7)(C):

This is in response to your December 2, 2015, request seeking reconsideration of our November 17, 2015, decision. The decision sustained the Regional Director's October 27, 2015, refusals to issue complaints in the captioned cases. Initially, we apologize for inadvertently failing to acknowledge Case 05-CB-156648, which was also included in your submission. You alleged that the Employer violated the National Labor Relations Act (Act) by discharging you for activities protected by the Act and that the Union breached its duty of representation on your behalf in its handling of your grievance. After a fresh review of both cases as well as the contentions raised in your letter and supporting documents, we adhere to our original determination. Our review disclosed that neither the Employer nor the Union violated the Act.

With regard to your contentions pertaining to the Employer, the Act only protects an employee from adverse employment actions if (b) (6), (b) (7)(C) acted in concert with other employees and the adverse action occurred because (b) (6), (b) (7)(C) attempted to organize a union at (b) (6), (b) (7)(C) facility, attempted to enforce provisions of a collective bargaining agreement between the employer and the union, or raised concerns about the working conditions. If an employee was not involved with other employees in these activities or the adverse action did not occur because of these activities, the employee is not protected by the Act even if the employer's action was unfair or incorrect.

In this case, the evidence did not disclose that the Employer acted for reasons violative of the Act. The decision to discipline you was based solely on the firearm incident. The objective



evidence did not disclose that any connection existed between the events leading to that discipline and any protected concerted activities in which you may have engaged. Nor did the objective evidence disclose that the Employer displayed hostility toward you because you had previously engaged in activities protected by the Act. In addition, there was no evidence that the Employer had treated other employees who engaged in similar conduct in a different manner. Although you contend that [REDACTED] other employees were not discharged for incidents relating to their firearms, the facts of those cases were found to be distinguishable from your incident.

Our review of the evidence also did not disclose that the Union's handling of your grievance was based on unlawful considerations. Unions are afforded wide discretion under the Act in the representation of employees and the processing of grievances. No complaint may be issued based on a union's representation of an employee unless that representation was grounded on arbitrary or discriminatory considerations. An employee does not have the absolute right to have a grievance processed to arbitration. Further, the fact that an employee may disagree or be dissatisfied with the representation provided by her union by itself does not establish a violation. As noted in the Regional Director's letter, the Union decided not to file a formal grievance on your behalf after reviewing the video pertaining to the firearm incident and concluding that a grievance would not be successful. However, the Union continues to advocate on your behalf and the Employer offered you another position, which you refused.

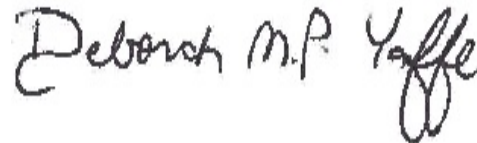
Your contention that the Regional Office's investigation was not proper is not supported by the evidence. All parties were given the opportunity to present their evidence and position on the cases, and you accepted this opportunity. The Regional Director's decisions to dismiss the cases were based solely on the evidence presented and the relevant case law. You have contended that the investigation was improper because certain witnesses apparently were not contacted or that certain evidence was not reviewed by the Regional Office. However, Regional Offices do not have the obligation to contact witnesses who may only present duplicative evidence. You have not explained what evidence these witnesses would have presented or what evidence was not considered by the Regional Office, which would have mandated contrary results in these cases. There was also no need for the Board Agent to travel to the facility to determine whether the charges had merit. The evidence and positions presented by the parties, including you, was sufficient to determine whether the charges had merit.

Finally, you have alleged that your civil rights and right to free speech have been violated. This Agency may only decide whether unfair labor practices occurred within the meaning of the Act. If you believe that other state or federal rights have been violated, you should contact a private attorney or Legal Aid Society to determine whether those violations may have occurred.

For the above, we reject your request for reconsideration and these cases remain closed.

Sincerely,

Richard F. Griffin, Jr.  
General Counsel



By:

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Deborah M.P. Yaffe, Director  
Office of Appeals

cc: CHARLES L. POSNER  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
BANK OF AMERICA CENTER,  
TOWER II  
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BALTIMORE, MD 21201

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GLORIA SCOTT, PRESIDENT  
SECURITY, POLICE AND FIRE  
PROFESSIONALS OF AMERICA  
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2701 W PATAPSCO AVE STE 107  
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